



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 05 2015

CERTIFIED MAIL 7014 2870 0000 3318 0165
RETURN RECEIPT REQUESTED

Mr. Juan Carlos Arteaga
Deputy Director
Capital Improvements and Regulatory Compliance
Miami-Dade Water and Sewer Department
Miami-Dade County
3071 SW 38th Avenue
Miami, Florida 33146

Re: Consent Decree (Case: No.: 1:12-cv-24400-FAM)
Reference DOJ Case No.: 90-5-1-1-4022
Section VI – Specific Capital Improvement Projects, Paragraph 19(i)
Section XX – Modification, Paragraph 82
Requested Modifications for Non-material Changes to Appendix D-2

Dear Mr. Arteaga:

The United States Environmental Protection Agency Region 4 and the Florida Department of Environmental Protection (FDEP) are in receipt of your February 2, 2015 and March 5, 2015 letters that seek modification of numerous interim deadlines for the capital improvement projects set forth in Appendix D-2 of the above-referenced Consent Decree. The specific deadlines, proposed revised deadlines and projects affected by these modification requests are set forth in tables attached to your letters.

The EPA and the FDEP hereby decline the majority of the proposed modifications in your February 2, 2015 letter because the request occurred after these specific interim deadlines had already been missed. However, the request for Project 2.15.1.1 (End Date) and Project 5.2.1 (End Date) are approved, which shall constitute a non-material modification of the Consent Decree. While the majority of this request has been denied, the EPA and FDEP will continue to track the progress of these Project activities to ensure their completion.

The EPA and the FDEP hereby agree to the proposed, revised dates as set forth in the table of your March 5, 2015, letter pursuant Paragraph 19.(i) and Section XX of the Consent Decree, which shall constitute a non-material modification to the Consent Decree. We appreciate Miami-Dade County's expressed commitment to successfully meeting the requirements of the Consent Decree and Miami-Dade County's representations that all of these affected capital improvement projects are still projected to be completed on or before the applicable final construction completion deadline set forth in Appendix D. The EPA and FDEP hereby request that Miami-Dade submit a revised complete Appendix D, reflecting the agreed upon non-material modifications above, as well as non-material modifications agreed to in the EPA's letter dated September 9, 2014.

If you should have any questions regarding this matter, please contact Mr. Brad Ammons of the EPA at (404) 562-9769 or via email at ammons.brad@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise D. Diaz", with a small "for" written above it.

Denise D. Diaz, Chief
NPDES Permitting and Enforcement Branch
Water Protection Division
U.S. Environmental Protection Agency, Region 4

A handwritten signature in black ink, appearing to read "Jennifer K. Smith".

Jennifer Smith
Assistant Director
Florida Department of Environmental Protection
Southeast District Office

cc: Mr. Jonathan A. Glogau
Office of the Attorney General

Mr. Kirk White
Florida Department of Environmental Protection

Ms. Lisa Self
Florida Department of Environmental Protection

Mayor Carlos A. Gimenez
Miami-Dade County

Mr. Lester Sola
Miami-Dade Water and Sewer Department

Mr. Jack Osterholt
Miami-Dade Regulatory and Economic Resources

Mr. Robert A. Cuevas, Jr.
Miami-Dade County Attorney

Mr. William A. Weinischke
U.S. Department of Justice

Ms. Rachael Amy Kamons
U.S. Department of Justice